

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Shondreka Jacole Shippy,)	C/A No. 0:13-1077-JFA-PJG
)	
	Plaintiff,)
)	
vs.)	ORDER
)	
Cherokee County Detention Center; Sgt.)	
Blackwell; Captain Anderson; Sheriff Mueller;)	
Nurse Margaret; Corporal Waters; Officer Price;)	
Nurse Roanna,)	
)	
	Defendants.)
)	

The *pro se* plaintiff, Shondreka Jacole Shippy, brings this pursuant to 42 U.S.C. § 1983 alleging violations of her civil rights.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation and opines that defendants Cherokee County Detention Center (CCDC) and Sheriff Mueller should be summarily dismissed from the amended complaint. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The plaintiff was advised of her right to file objections to the Report and Recommendation, which was entered on the docket on August 16, 2013. However, the

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b)(1).

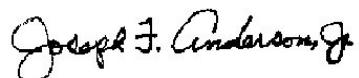
plaintiff did not file objections and the time within which to do so has now expired. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

As the Magistrate Judge properly notes, defendant CCDC is not a “person” who may act under color of state law such that it would be amenable to suit under § 1983. In addition, the plaintiff has failed to allege any facts showing personal involvement by defendant Sheriff Mueller in connection with any alleged constitutional violation.

After a careful review of the record, the applicable law, and the Report and Recommendation, the court adopts the Magistrate Judge’s recommendation proper and incorporates it herein by reference.

Accordingly, defendants CCDC and Sheriff Mueller are dismissed from this action. As the Magistrate Judge has authorized service of process on the remaining defendants, this matter shall be returned to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.



Joseph F. Anderson, Jr.
United States District Judge

September 23, 2013
Columbia, South Carolina